

Before the
Federal Communications Commission
Washington, D.C. 20554

MAILED
MAR 29 2012
FCC Mail Room

In the matter of)

Request by Progeny LMS, LLC for Waiver of)
Certain Multilateration Location and Monitoring)
Service Rules)

WT Docket No. 11-49

ORDER

Adopted: March 28, 2012

Released: March 28, 2012

By the Deputy Chief, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau,
and Chief, Policy and Rules Division, Office of Engineering and Technology:

1. On February 14, 2012, the Wireless Telecommunications Bureau (WTB) and the Office of Engineering and Technology (OET) released a *Public Notice* seeking comment on the M-LMS field testing report ("Report") that had been filed by Progeny LMS, LLC (Progeny), and provided that comments are due on March 15, 2012, and reply comments are due on March 30, 2012. On March 14, 2012, WTB and OET released an Order denying a request by Skybridge Spectrum Foundation, Telesaurus Holding GB LLC, Environmental LLC, Verde Systems LLC, Intelligent Transportation & Monitoring Wireless LLC, V2G LLC, and Warren Havens (collectively "SkyTel") for an extension of the dates for comments and replies.¹ On March 15, 2012, SkyTel filed "Comments on the Progeny Test Report and Request to Extend the Deadline for Replies to Comments."² On March 20, 2012, Progeny filed an opposition to SkyTel's request for an extension.³

2. As set forth under Section 1.46(a) of the Commission's rules, it is the policy of the Commission that extensions of time shall not be routinely granted.⁴ On March 14, 2012 – one day before SkyTel submitted its further request for an extension of the reply comments date – we denied SkyTel's previous request for an extension of time to file both comments and reply comments. We find that the

¹ Request by Progeny LMS, LLC for Waiver of Certain Multilateration Location and Monitoring Service Rules, WT Docket No. 11-49, *Order*, DA 12-400 (March 14, 2012).

² Comments on the Progeny Test Report and Request to Extend the Deadline for Replies to Comments, WT Docket No. 11-49 (March 15, 2012). V2G LLC did not join in the Comments or in the extension request. *Id.* at 1, n.1, 8. On March 22, 2012, SkyTel clarified that its filing is a "suggestion and not a request" for an extension of "the deadline for Replies to Comments by approximately a week (five business days)" to permit parties to "fully review the substantial Comments" and to "prepare and submit Replies." E-Mail to Paul D'Ari, Spectrum Competition and Policy Division, WTB, Federal Communications Commission and Hugh Van Tuyl, Senior Engineer, OET, Federal Communications Commission (March 2, 2012). A copy of the e-mail is available in the Commission's Electronic Comment Filing System (ECFS). Progeny filed an opposition to this e-mail. Opposition of Progeny LMS, LLC, WT Docket No. 11-49 (March 22, 2012).

³ Opposition of Progeny LMS, LLC, WT Docket No. 11-49 (March 20, 2012).

⁴ 47 C.F.R. § 1.46(a).

arguments presented by SkyTel in its request do not warrant changing our previous decision to not grant SkyTel an extension of the deadline for filing reply comments in this proceeding.

3. Accordingly, IT IS ORDERED that, pursuant to sections 4(i), 4(j), and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 155(c), and sections 0.131, 0.331, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.131, 0.331, and 1.46, the request for extension of time filed by Skybridge Spectrum Foundation, Telesaurus Holding GB LLC, Environmental LLC, Verde Systems LLC, Intelligent Transportation & Monitoring Wireless LLC, and Warren Havens is DENIED.

FEDERAL COMMUNICATIONS COMMISSION

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